

Traeger Machetanz, Esq.
 Thomas R. Krider, Esq.
 OLES MORRISON RINKER & BAKER, LLP
 745 Fourth Avenue, Suite 502
 Anchorage, AK 99501-2136
 Telephone: (907) 258-0106
 Telecopier: (907) 258-5519

Attorneys for Nugget Construction Co., Inc.,
 and USF&G, Defendants

IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF ALASKA AT ANCHORAGE

UNITED STATES OF AMERICA for the)
 use of NORTH STAR TERMINAL &)
 STEVEDORE COMPANY, d/b/a NORTHERN)
 STEVEDORING & HANDLING, and NORTH)
 STAR TERMINAL & STEVEDORE COMPANY,)
 d/b/a Northern Stevedoring &)
 Handling, on its own behalf,)

No. A98-009 CIV (TMB)

Plaintiffs,

and

UNITED STATES OF AMERICA for the)
 use of SHORESIDE PETROLEUM, INC.,)
 d/b/a Marathon Fuel Service, and)
 SHORESIDE PETROLEUM, INC., d/b/a)
 Marathon Fuel Service, on its own)
 behalf,)

Intervening Plaintiffs,

and

METCO, INC.,

Intervening Plaintiff,

vs.

NUGGET CONSTRUCTION, INC.; SPENCER)
 ROCK PRODUCTS, INC.; UNITED)
 STATES FIDELITY AND GUARANTY)
 COMPANY; and ROBERT A. LAPORE,)

Defendants.

NUGGET CONSTRUCTION,
INC.'S AND UNITED STATES
FIDELITY & GUARANTY
CO., INC.'S MOTION TO
SHORTEN TIME TO HEAR
UNOPPOSED MOTION TO SEAL
EXHIBIT

1 Defendants Nugget Construction, Inc., and United States Fidelity
2 & Guaranty, by and through their attorneys, Oles Morrison Rinker &
3 Baker LLP, hereby move the Court for an order to seal Docket No. 491,
4 Part 8 marked Exhibit 3. All parties are unopposed to this motion.
5 Defendants also move that the Motion to Seal be heard on shortened
6 time.

7 Exhibit 3 is a confidential deposition transcript of Jeff Bentz
8 dated March 28, 2006. The sealing of Exhibit 3 is necessary for
9 compliance with the previously entered Protective Order in this matter
10 (Docket No. 434).

11 For the foregoing reason, Defendants Nugget Construction, Inc.,
12 and United States Fidelity & Guaranty submit that good cause exists
13 for sealing Docket No. 491, Part 8 marked Exhibit 3 and respectfully
14 requests that the Court so order.

15 Dated: May 23, 2006

16 OLES MORRISON RINKER & BAKER LLP
17 Attorneys for Nugget Construction,
18 Inc., and United States
19 Fidelity and Guaranty Co.

20 By: s/Thomas R. Krider
21 Thomas R. Krider
22 krider@oles.com
23 Washington Bar No. 29490
24 745 West 4th Avenue, Suite 502
25 Anchorage, AK 99501
Phone: (907) 258-0106
Fax: (907) 258-5519

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of May, 2006, a true and correct copy of the foregoing was served

electronically, via ECF on:

Michael W. Sewright, Esq.

mws@bpbk.com

Burr, Pease & Kurtz

810 N Street

Anchorage, AK 99501

Steven J. Shamburek, Esq.

shamburek@gci.net

Law Office of Steven J. Shamburek

425 G Street, Suite 630

Anchorage, AK 99501-5872

Paul Stockler, Esq.

paulstockler@aol.com

1309 West 16th Avenue

Anchorage, AK 99501

Herbert A. Viergutz, Esq.

barmar@gci.net

Barokas Martin & Tomlinson

1029 West Third, Suite 280

Anchorage, AK 99501

C. Patrick Stoll, Esq.

cps@hvslaw.com

Herrig Vogt & Stoll LLP

4210 Douglas Bay Blvd., Suite 100

Granite Bay, CA 95746-5902

OLES MORRISON RINKER & BAKER LLP

By: s/Thomas R. Krider

P TRK Motion to Seal Exhibit 052306 99310.0002.doc

U.S. ex rel. North Star, et al. v. Nugget Construction, et al.

Case No. A98-009 CIV (HRH)

Motion for Summary Judgment Against Shoreside-- Page 2 of 2